



COMMITTEE MEETING MINUTES

2018 Indiana Residential Code Committee

Indiana Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Room 2

Tuesday, November 20, 2018

CORRECTED AND APPROVED

1. The 2018 Indiana Residential Code Committee (Committee) meeting was called to order by Chairman Furnish at 9:03 a.m. on Tuesday, November 20, 2018.

(a) Committee Members present at the meeting:

Mark Demerly
Greg Furnish, Chairman
Phil Gettum
Randy Gulley
Joe Heinsman
Bill Kaufholz
Hank Kidwell
Lynn Madden
Michael Popich
Braden Prochnow
Craig Wagner

(b) Committee Members not present at the meeting:

(c) Departmental Staff present at the meeting:

Doug Boyle, FPBSC Director & IRCC Committee Secretary, IDHS
Justin Guedel, Staff Attorney, IDHS

2. Roll Call/Attendance

Chairman Furnish conducted roll call, and noted that all eleven voting members were present. As such, the Committee achieved a full quorum. IDHS staff Justin Guedel and Doug Boyle were also present. Attendance was also taken by an attendance sheet. Twelve guests, Charlie Eldridge (IPL), Alan Manche (Schneider Electric), Chris Jenks (Siemens), Randy Dollar (Siemens), Dan Endris (IEC), Erv Klein (IEC), Tom Canon (City of Richmond, Indiana/NEC), Don Iverson (NEMA), Tim McClintock (NFPA), Thomas Bane (SME), Adam Holman (City of Zionsville, Indiana), and Matthew Brown (APA), were also present and signed the attendance sheet.

3. Committee Action on Meeting Minutes from Wednesday, October 17, 2018

Chairman Furnish asked the Committee to take a few minutes to carefully review the meeting minutes from the Committee's Wednesday, October 17, 2018 meeting, and then called for any additions or amendments to the minutes. Hearing no additions or amendments, Mark Demerly made the motion to approve the minutes with no additions or amendments. Michael Popich seconded the motion. The motion was voted on and carried.

4. Fiscal Impact Summary and Tabled Proposals for Code Change Summary

Chairman Furnish advised the members of the Committee that they should have two summaries in their possession. The first summary was an updated summary of the calculated fiscal impact of the Committee's approved proposals for code change. The second summary was an updated list of the proposals for code change that the Committee tabled since its first meeting on May 16, 2018. Chairman Furnish encouraged the members of the Committee to carefully review the summaries, especially if they had submitted and proposals for code change that were tabled and would need to be resubmitted. Chairman Furnish thanked Mark Demerly, on behalf of himself and the Committee's staff, for his time and extra effort in putting together these summaries for the Committee.

5. Review of Proposals for Code Change for Chapters 39 – Appendices of the 2018 IRC

The Committee reviewed and took the following actions on submitted proposals for code change to Chapter 39 through the Appendices of the 2018 IRC:

313. Section E3901.11 Foyers. [Charlie Eldridge]

- Proposed Amendment(s): Change the proposed provision to read as follows:
“Foyers that are not part of a hallway in accordance with Section E3901.10 and that have an area greater than ~~60~~ 100 square feet (~~5.57m²~~) (9.29m²) shall have a receptacle(s) located in each ~~useable~~ wall space that is ~~3~~ 4 feet (~~914mm~~) (1219mm) or more in width. The 4 foot (1219mm) measurement shall be taken measured in a straight line. Doorways, door-side windows that extend to the floor, and similar openings shall not be considered as wall space. [210.52(H)]”
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

314. Section E3901.12 HVAC outlet. [Charlie Eldridge]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

315. Section E3902.4 Crawl space receptacles and lighting outlets. [Charlie Eldridge]

- **WITHDRAWN.**

316. Section E3902.11 Boathouse receptacles. [Charlie Eldridge]

- Motion to deny; seconded.
- **DENIED.**

6. Break

After a very long discussion regarding proposal numbers 317, 318, 319, and 320, Chairman Furnish advised that the Committee will recess for a short break before taking a vote on each of those proposals for code change. The Committee recessed at 10:27 a.m., and reconvened at 10:38 a.m.

317. Section E3902.16 Arc-fault circuit-interrupter protection. [David Soderquist]

- Motion to deny; seconded.
- **DENIED.**

318. Section E3902.16 Arc-fault circuit-interrupter protection/Section E3902.17 Arc-fault circuit-interrupter protection for branch circuit extensions or modifications. [Tom Canon]

- Motion to deny; seconded.
- **DENIED.**

319. Section E3902.16 Arc-fault circuit-interrupter protection. [Randy Gulley]

- Motion to deny; seconded.
- **DENIED BY HAND VOTE (6-4 IN FAVOR OF MOTION).**

320. Section E3902.16 Arc-fault circuit-interrupter protection. [Phil Gettum]

- Motion to deny; seconded.
- **DENIED BY HAND VOTE (6-4 IN FAVOR OF MOTION).**

321. Section E3902.17 Arc-fault circuit-interrupter protection for branch circuit extensions or modifications. [Randy Gulley]

- Fiscal impact amended to an **average of \$62,000.00 in savings**, based on the two estimates provided in the proposal.
- Motion to approve; seconded.
- **APPROVED AS SUBMITTED WITH THE AMENDED FISCAL IMPACT.**

322. Section E3902.17 Arc-fault circuit-interrupter protection for branch circuit extensions or modifications. [Phil Gettum]

- **WITHDRAWN.**

***Additional Note: A few individuals and stakeholder groups from across the state of Indiana and the United States submitted position letters to Committee Secretary Doug Boyle on the Committee's behalf in advance of the meeting. They requested that the Committee support the full adoption of the 2018 IRC without any amendments, and specifically support the adoption of the 2018 IRC'S arc-fault circuit-interrupter requirements (Sections E3902.16 and E3902.17). These letters were provided to the Committee in advance of the meeting, as part of the Committee's meeting materials. Letters were received from the following groups and individuals: the Phoenix Society for Burn Survivors, the Indiana Fire Chiefs Association, and David Bowers (resident of Ladoga, Indiana).**

323. Section E3905.1 Box, conduit body or fitting—where required. [Charlie Eldridge]

- Fiscal impact amended to a **cost of \$500.00.**
- Motion to approve; seconded.
- **APPROVED AS SUBMITTED WITH THE AMENDED FISCAL IMPACT.**

324. Section E3905.3.2 Securing to box. [Charlie Eldridge]

- Proposed Amendment(s): In the first sentence of the exception, change “(Type MN)” to “(Type NM).”
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

325. Section E3905.12.2.1 Conductor fill. [Charlie Eldridge]

- **WITHDRAWN.**

326. Section E3905.12.2.2 Clamp fill. [Charlie Eldridge]

- Proposal will have **zero/no fiscal impact.**
- Motion to approve; seconded.
- **APPROVED AS SUBMITTED WITH AMENDED FISCAL IMPACT.**

327. Section E3908.8.3 Nonmetallic sheathed cable (Type NM). [Charlie Eldridge]

- Proposed Amendment(s): The proposed change is to “change to read as follows,” not “delete without substitution.”
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

328. Section E4002.14 Tamper-resistant receptacles. [Phil Gettum]

- Fiscal Impact: If Section E4002.14 of the 2018 IRC were to be adopted as imposed as written, the Committee calculated that the fiscal impact will be **\$584,000 in savings (\$40.00 × 14,600 homes = \$584,000.00).** The proposed code change – to

delete Section E4002.14 without substitution, will have **no fiscal impact**, since the proposed change reflects current rule.

- Motion to deny; seconded.
- **MOTION TO DENY FAILED BY HAND VOTE (5-6 NOT IN FAVOR OF MOTION)**
- Motion to approve as submitted; seconded.
- **APPROVED AS SUBMITTED BY HAND VOTE (6-5 IN FAVOR OF MOTION), AND FISCAL IMPACT NOTED AS ZERO/NO FISCAL IMPACT.**

329. Chapter 42 Swimming pools. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

330. Section E4207.4 Receptacle locations. [Charlie Eldridge]

- **WITHDRAWN.**

331. Section E4301.2 Definitions. [Charlie Eldridge]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

332. Section E4301.3 Spread of fire or products of combustion. [Charlie Eldridge]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

333. Chapter 44 Referenced standards. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

334. Appendixes A through D. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

335. AE101.1 General. [Craig Wagner]

- Proposed Amendment(s): Change the third provision to read as follows:
“*Alterations, ~~or additions or repairs~~ to existing manufactured homes. The construction, alteration, moving, demolition, ~~repair~~ and use of accessory buildings and structures, and their building service equipment, shall comply with the requirements of the codes adopted by this jurisdiction.*”
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

336. AE102.1 General. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

337. AE102.2 Additions, alterations or repairs. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

338. AE102.2.1 Alterations. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

339. AE102.3 Existing installations. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

340. AE102.4 Existing occupancy. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

341. AE102.5 Maintenance. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

342. AE201.1 Definitions, Manufactured home. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

343. AE301.1 Initial installation. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

344. AE301.2 Additions and alterations to a manufactured home. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

345. AE301.3, AE301.4, AE302, AE303, AE304, AE305, AE306, AE307, AE401. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

346. AE402.1 Location on property. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

347. AE502.1 General. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

348. AE504.1 General. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

349. AE505.1 General. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

350. AE507.1 General. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

351. AE604.3 Resistance to weather deterioration. [Craig Wagner]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

352. Appendixes F through T. [Craig Wagner]

- Motion to approve; seconded.
- **MOTION TO APPROVE FAILED FOR LACK OF MAJORITY VOTE (5-5 TIE, CHAIRMAN FURNISH ABSTAINED)**
- Motion to table; seconded.
- **TABLED.**

7. Lunch

The Committee recessed for lunch at 12:09 p.m., and reconvened at 1:12 p.m.

8. Review of Proposals for Code Change for Chapters 1-29 of the 2018 IRC

The Committee reviewed and took the following actions on submitted proposals for code change to Chapters 1-38 of the 2018 IRC:

353. Section R313.2 One- and Two-family dwellings automatic fire systems. [Craig Wagner on behalf of Bobby LaRue]

- Proposed Amendment(s): Change the section number and title of the proposal to read as follows: "**R310.1 Emergency escape and rescue opening required.**"
- Motion to approve as amended; seconded.
- **APPROVED AS AMENDED.**

354. Section R095.1.2 Ice barriers. [John C. Cochran]

- Motion to table; seconded.
- **TABLED.**

355. Section R095.1.2 Ice barriers. [Bill Kaufholz]

- **WITHDRAWN.**

356. Section N1103.3.5 Building cavities. [Bill Kaufholz]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

357. Section E3501 Electrical definitions. [Charlie Eldridge]

- Motion to table; seconded.
- **TABLED.**

358. Section E3601.2 Number of services. [Charlie Eldridge]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

359. Section E3606.3 Available short-circuit current. [Charlie Eldridge]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

360. Section E3608.1.2 Concrete-encased electrode. [Charlie Eldridge]

- Motion to approve; seconded.
- **APPROVED AS SUBMITTED.**

361. Section E3702.13 Electric vehicle branch circuit. [Lynn Madden]

- Proposal will have **zero/no fiscal impact.**
- Motion to approve; seconded.
- **APPROVED AS SUBMITTED, WITH THE ADDITION OF FISCAL IMPACT NOTED AS ZERO/NO FISCAL IMPACT.**

9. Plan Forward/Further Committee Discussion on the 2018 IRC/Next Meeting

Chairman Furnish advised the Committee that its final scheduled meeting will be on Wednesday, December 19, 2018, starting at 9:00 a.m. in Conference Room 29 of Indiana Government Center South. Chairman Furnish also advised that the meeting will serve as a final cleanup of the Committee's proposed draft rule, and the agenda will be to review any final resubmitted proposals for code change to the entire 2018 IRC. Proposals for code change will be due to Doug Boyle by end of business on Wednesday, December 12, 2018. Doug Boyle also advised that he will compile all of the Committee's approved amendments to the draft rule, place them in chronological order, and then provide that document to the Committee in advance of the December 19th meeting. Doug and Justin will also try to have the proposed draft rule, in its current form, ready for the Committee to review at the December 19th meeting as well.

Craig Wagner asked if the Committee will also be able to review the full fiscal impact statement to be submitted with the draft rule. Jonathan Whitham, IDHS General Counsel,

addressed the Committee in response to Craig Wagner's question. Mr. Whitham advised that the intent was to try and keep the Committee's proposals for code change as simple as possible, which is why the Committee was asked to only calculate fiscal impact in terms of each proposals changes to the 2018 IRC model code. Mr. Whitham advised that IDHS/Committee staff has identified fiscal impact of the IRC model codes over the last four code cycles (2006-2018), but has not found any information on fiscal impact of the changes from the 2003 model code to the 2006 model code. As such, Mr. Whitham advised that there are a couple options: (1) they can have someone try to calculate the fiscal impact between the 2003 and 2006 model codes and then combine it with the fiscal impact data between the 2006 and 2018 model codes, or (2) they can hire someone to calculate the total fiscal impact between the 2015 Indiana Residential Code and the 2018 International Residential Code.

Mr. Whitham advised that IDHS can hire a consulting group to calculate the fiscal impact for the Committee, or a small group (three members) of the Committee can volunteer to put that report together for the Committee and the Fire Prevention and Building Safety Commission. Mr. Whitham advised that he'd like the fiscal impact report to be complete toward the beginning of 2019, probably before the middle of February so the Fire Prevention and Building Safety Commission can move forward with the full rulemaking process as soon as possible. Mr. Whitham said that the Committee could continue brainstorming and consider their options. He is not opposed to hiring an outside consulting group, but it might be a more expeditious option to assign a few members of the Committee to create the fiscal impact report. Finally, Mr. Whitham advised that IDHS will be submitting a report to the Indiana General Assembly by January 1, 2019 to provide an update on the Committee's/the Commission's progress in updating the Indiana Residential Code, and he thanked the Committee for its time and dedication to this process.

10. Adjournment

Chairman Furnish adjourned the meeting at 2:35 p.m.